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Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

YOUNG, JANELLE N

ART UNIT	PAPER NUMBER
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2618

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/521,389

Applicant(s)

SCHWORM, ERNST

Examiner

Janelle N. Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-19, 22 and 24-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-19, 22 and 24-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 12, 2007 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 16-19 and 35 have been considered but are moot in view of the new ground(s) of rejection.

Nuovo teaches a casing (Fig. 1:2); which reads on claimed enclosure for a housing a device, comprising:

a first enclosure base body and second enclosure base body, together, contain the device, with: a combination of the front face (Fig. 1:3) and Perspex™ layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed first enclosure base body, comprising precious stone or plastic; which reads on claimed first base body component formed of a relatively hard material, the first base body component comprising a first edge (Fig. 22a,b,c:320) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; Page

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4, Para. 0065) flange positioned along an outer periphery thereof and configured to extend toward the second enclosure base body (Page 5, Para 0075 & 0078); a combination of the side frame (Fig. 1:20) and housing element/bezel (Fig. 1 & 22a,b,c:19); which reads on claimed second enclosure base body, made of a plastic; which reads on claimed second base material, the second enclosure base body comprising a second edge (Fig. 22a,b,c:192) along an outer periphery thereof, including a first recess for receiving the first edge flange, wherein the first enclosure base body and the second enclosure base body butt against one another along the first edge flange and the first recess (Page 5, Para 0077-0079; Page 7, Para 0103; and Page 8, Para 0111); and wherein portions of the second base body component are spaced apart from the first edge by a recess defined along the first edge (Fig. 1:22 or 23) with the portions of the second base body component providing a sealing first flange configured to make contact (Fig. 6a & 9a:69);with the second edge, said edge flange made of plastic; which reads on claimed elastically deformable material (Page 4, Para. 0065-0068 & 0070; Page 5, Para, 0073 & 0075-0077; and Page 7, Para. 0098).

Response to Amendment

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 16, 19, 27, 29-31, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Nuovo (US Patent 2004/0102230).

As to claim 16, Nuovo teaches a casing (Fig. 1:2); which reads on claimed enclosure for a housing a device, comprising:

a first enclosure base body and second enclosure base body, together, contain the device, with: a combination of the front face (Fig. 1:3) and PerspexTM layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed first enclosure base body, comprising precious stone or plastic; which reads on claimed first base body component formed of a relatively hard material, the first base body component comprising a first edge (Fig. 22a,b,c:320) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; Page 4, Para. 0065) flange positioned along an outer periphery thereof and configured to extend toward the second enclosure base body (Page 5, Para 0075 & 0078);

a combination of the side frame (Fig. 1:20) and housing element/bezel (Fig. 1 & 22a,b,c:19); which reads on claimed second enclosure base body, made of a plastic; which reads on claimed second base material, the second enclosure base body comprising a second edge (Fig. 22a,b,c:192) along an outer periphery thereof, including a first recess for receiving the first edge flange,

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wherein the first enclosure base body and the second enclosure base body butt against one another along the first edge flange and the first recess (Page 5, Para 0077-0079; Page 7, Para 0103; and Page 8, Para 0111); and

wherein portions of the second base body component are spaced apart from the first edge by a recess defined along the first edge (Fig. 1:22 or 23) with the portions of the second base body component providing a sealing first flange configured to make contact (Fig. 6a & 9a:69); with the second edge, said edge flange made of plastic; which reads on claimed elastically deformable material (Page 4, Para. 0065-0068 & 0070; Page 5, Para, 0073 & 0075-0077; and Page 7, Para. 0098).

As to claim 19, Nuovo teaches an enclosure, wherein the first enclosure base body and the second enclosure base body butt against one another, flange (Page 1, Para. 0006 and Page 5, Para. 0078); which reads on claimed labyrinth seal, is formed by the combination of the front face (Fig. 1:3) and PerspexTM layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed multiple flanges each extending from one enclosure base body, the rail (Fig. 1:22 or 23) and sealant (Fig. 6a & 9a:69); which read on claimed seal, and the combination of the side frame (Fig. 1:20) and housing element/bezel (Fig. 1 & 22a,b,c:19); which reads on claimed into a recess in the other enclosure body (Abstract ; Page 1, Para. 0004 & 0011; Page 3, Para. 0058; and Page 5, Para. 0077).

As to claim 27, Nuovo teaches an enclosure, wherein the first base material comprises a Perspex is a trade name in many countries in Europe for polymethyl

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methacrylate Polymethyl methacrylate (PMMA) or poly(methyl 2-methylpropenoate) is the synthetic polymer of methyl methacrylate; which reads on claimed thermoplastic material (Page 4, paragraph 0065-0070; Page 5, Para 0073-0075; and Page 6, Para 0084 & 0088). **Note:** This thermoplastic and transparent plastic is sold by the trade names Plexiglas, Perspex, Acrylite, Acryplast, Altuglas, and Lucite and is commonly called acrylic glass or simply acrylic.

As to claim 29, Nuovo teaches an enclosure, configured for accommodating electrical, electronic, or mechanical components (Page 6, Para. 0086).

As to claim 30, Nuovo teaches an enclosure, configured as a housing for a mobile telecommunication device (Page 1, Para. 0004 & 0011 and Page 3, Para. 0060).

As to claim 31, Nuovo teaches an enclosure, further comprising:

a rear/back cover (Fig. 2, 6a, 8, 9a, 13, 21, & 22a,b,c:21); which reads on claimed third enclosure base body, for accommodating a battery; which reads on claimed exchangeable electrical power source (Page 6, Para. 0089 & 0091 and Page 7, Para. 0095-0097), wherein

the a rear/back cover (Fig. 2, 6a, 8, 9a, 13, 21, & 22a,b,c:21); which reads on claimed third enclosure base body, butts either against the combination of the front face (Fig. 1:3) and PerspexTM layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed first enclosure base body, or against the combination of the side frame (Fig. 1:20) and housing element/bezel (Fig. 1 & 22a,b,c:19); which reads on claimed second enclosure base body and is sealed to the respective enclosure base body by an edge flange integrally formed in one base body and

configured to extend into a recess formed in the other base body (Page 5, Para. 0077 & 0079; Page 6, Para. 0083, 0089, & 0091; and Page 7, Para. 0095-0097).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 17-18 & 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 16 above, and further in view of Mischenko (US Patent 4711361).

As for claims 17-18, Nuovo teaches a casing (Fig. 1:2); which reads on claimed enclosure for a housing a device, comprising: a first enclosure base body and second enclosure base body, together, contain the device, with: a combination of the front face (Fig. 1:3) and Perspex™ layer (Fig 5, 6a, 9a, 13 14 & 16:37); which reads on claimed first enclosure base body, made of a precious stone or plastic; which reads on claimed first base material, the first enclosure base body comprising a first edge (Fig. 22a,b,c:320) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; Page 4, Para. 0065) flange positioned along an outer periphery thereof and configured to extend into the second enclosure base body (Page 5, Para 0075 & 0078); a combination of the side frame (Fig. 1:20) and housing element/bezel (Fig. 1 & 22a,b,c:19); which reads on claimed second enclosure base

body, made of a plastic; which reads on claimed second base material, the second enclosure base body comprising a second edge (Fig. 22a,b,c:192) along an outer periphery thereof, including a first recess for receiving the first edge flange, wherein the first enclosure base body and the second enclosure base body butt against one another along the first edge flange and the first recess (Page 5, Para 0077-0079; Page 7, Para 0103; and Page 8, Para 0111 of Nuovo); and wherein the first edge flange when positioned in the recess provides a rail (Fig. 1:22 or 23) and sealant (Fig. 6a & 9a:69); which read on claimed seal, that contacts the second edge, said edge flange made of plastic; which reads on claimed elastically deformable material (Page 4, Para. 0065-0068 & 0070; Page 5, Para, 0073 & 0075-0077; and Page 7, Para. 0098 of Nuovo).

What Nuovo does not explicitly teach is edge flange positioned along an outer periphery, two-color or two-component injection molding method for the producing a housing of a mobile communication terminal, and manufacturing of the body of a mobile device.

However, Mischenko teaches an interlocking module housing; which reads on enclosure for a housing device (Col. 1, lines 5-9 and Col. 2, lines 37-39 of Mischenko), wherein one of the first enclosure base body and the second enclosure base body comprises a second edge flanged positioned along an outer periphery thereof and configured to extend into a second recess formed along the outer enclosure base body (Col. 1, line 56-Col. 2, line 3 in respect to Col. 1, lines 31-36 and Col. 2, lines 41-53 and of Mischenko); and a third edge flange positioned between the first and second edge flanges and configured to extend into a third recess formed along the outer periphery of

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the other one of the first enclose base body component and the second enclosure base body (Col. 3, lines 44-50 in respect to Col. 1, lines 31-36 and Col. 2, lines 41-53 and of Mischenko).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate an enclosure having interlocking sides and more particularly to a housing for electronic equipment, as taught by Mischenko, in the mobile communications devices housings development and materials of Nuovo. The plastic materials and other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can produce an easily assembled and disassembled. Such a housing can be produced to be aesthetically pleasing and can camouflage the gaps (Col. 2, line 66-Col. 3, line 18 of Mischenko).

As to claim 22, Nuovo teaches an enclosure, wherein, when the first enclosure base body and the second enclosure base body butt against one another, the second edge flange is positioned interior to the first edge flange and the second flange is

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formed of a harder material than the first hard plastic (Page 5, Para 0072-0075 of Nuovo).

5. Claims 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 17 above, and further in view of Gahl et al. (US Patent 2004/0082370).

What Nuovo does not explicitly teach is two-color or two-component injection molding method for the producing a housing of a mobile communication terminal.

However Gahl et al. teaches an enclosure, wherein the first enclosure base body is made from a hard plastic and the second edge flange is made from a plastic softer than the hard plastic (Page 1, Para. 0010-0011 of Gahl et al.); wherein the first enclosure base body and the second edge flange are made using the two-color or two-component injection molding method (Page 1, Para. 0013 of Gahl et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a network that employs CDMA access techniques, as taught by Gahl et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials and other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Page 4, Para 0050 of Gahl et al.).

6. Claims 26 & 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claims 16-18 and 24-25 above, and further in view of Montminy et al. (US Patent 2004/0211668).

What Nuovo does not explicitly teach is the first edge flange comprises a material used for mobile terminals housing and casing and Shore hardness.

However Montminy et al. teaches an enclosure, wherein the first edge flange comprises a thermoplastic elastomer, wherein the sealing material having a Shore hardness between 50 and 60 (Fig. 11c; Abstract; Page 3, Para. 0031; Page 5; Para. 0052; and Page 8, Para. 0070 & 0072 of Montminy et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate the production and material of the mobile communication device's enclosure, as taught by Montminy et al., in the mobile communication device enclosure of Nuovo, because Nuovo already teaches plastic and

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other materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. In some embodiments, the material has a resistance food and fluid damages. In some embodiments, the elastomeric material can comprise a thermoplastic or thermosetting polymer that is flexible relative to the rigid material during operation or use (Fig. 11c; Abstract; Page 3, Para. 0031; Page 5; Para. 0052; and Page 8, Para. 0070 & 0072 of Montminy et al.).

7. Claims 32 & 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 16 above, and further in view of Gahl et al. (US Patent 2004/0082370).

Nuovo teaches a housing part, comprising of a base body having an outer surface opposing one another with the inner surface including an edge (Fig. 22a,b, c:320 of Nuovo) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; and Page 4, Para. 0065 of Nuovo) perimeter adapted to

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contact a mating surface; a flange formed along the edge perimeter extending in a direction to rest against the mating surface when contact with the mating surface is made (Page 4, Para. 0065-0068 & 0070 and Page 5, Para. 0073 & 0075-0076 of Nuovo), wherein the flange comprises is an elastically deformable material edge (Page 5, Para 0077 and Page 7, Para. 0098 of Nuovo); (Page 3, Para. 0058 and Page 5, Para 0077-0079 of Nuovo). Nuovo also discusses hard components (Pages 6-7, Para 0092 and Page 8, Para. 0106 of Nuovo) and soft components (Page 1, Para 0003; Page 4, Para. 0065 & 0071; Page 5, Para 0072; and Page 6, Para 0082-0083 of Nuovo).

What Nuovo does not explicitly teach is two-color or two-component injection molding method for the producing a housing of a mobile communication terminal.

However, as to claim 32, Gahl et al. teaches a method for producing a housing part for a mobile telecommunication device (Page 1-2, Para. 0013; Page 2, Para 0014 & 0025; and Page 3, Para 0046 of Gahl et al.), comprising:

injecting a hard component onto a fixed tool (Page 1, Para. 0010 and Page 3, Para. 0035 of Gahl et al.);

shaping the hard component by a first countertool moveable in a mold release direction (Page 1-2, Para. 0013 and Page 2, Para. 0016 of Gahl et al.);

injecting a soft component forming an elastic seal onto the hard component (Page 1, Para. 0010 and Page 1-2, Para. 0013 of Gahl et al.); and

shaping the soft component by a second countertool, which is moved in the same mold release direction as first countertool for releasing the mold, wherein the method utilizes a two-color injection molding process and the

housing part is formed by the hard component and the seal (Page 1-2, Para. 0003 & 0013 and Page 2, Para. 0016 of Gahl et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a network that employs CDMA access techniques, as taught by Gahl et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Page 4, Para 0050 of Gahl et al.).

As to claim 34, Gahl et al. teaches a method for producing a housing part for a mobile telecommunication device, wherein the soft component is applied to the hard component while the latter is still warm (Page 2, Para. 0014-0020 of Gahl et al.).

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8. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claim 32 above, and further in view of Pontoppidan (US Patent 6333716).

Nuovo teaches a housing part, comprising of a base body having an outer surface opposing one another with the inner surface including an edge (Fig. 22a,b, c:320 of Nuovo) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; and Page 4, Para. 0065 of Nuovo) perimeter adapted to contact a mating surface; a flange formed along the edge perimeter extending in a direction to rest against the mating surface when contact with the mating surface is made (Page 4, Para. 0065-0068 & 0070 and Page 5, Para. 0073 & 0075-0076 of Nuovo), wherein the flange comprises is an elastically deformable material edge (Page 5, Para 0077 and Page 7, Para. 0098 of Nuovo); (Page 3, Para. 0058 and Page 5, Para 0077-0079 of Nuovo).

What Nuovo does not explicitly teach is two-color or two-component injection molding method for the producing a housing of a mobile communication terminal.

However, as to claim 33, Pontoppidan teaches a method for producing a housing part for a mobile telecommunication device, wherein a rotary platen mold is used, the rotation allowing simultaneous processing of two housing parts, one having the hard component applied and one having the soft component applied. (Col. 6, lines 54-65 and Col. 8, lines 9-18 of Pontoppidan).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a manufacturing an antenna body for a phone

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techniques, as taught by Pontoppidan, in the mobile communications devices housings development and materials of Nuovo. The plastic materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005 & 0014, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Abstract and Col. 2, lines 40-54 of Pontoppidan).

9. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nuovo (US Patent 2004/0102230) as applied to claims 16-18 and 24-25 above, and further in view of Gahl et al. (US Patent 2004/0082370).

Nuovo teaches a housing part, comprising of a base body having an outer surface opposing one another with the inner surface including an edge (Fig. 22a,b, c:320 of Nuovo) (Abstract; Page 1, Para. 0006-0007, 0011, 0014 & 0016; Page 2, Para. 0026; Page 3, Para. 0058; and Page 4, Para. 0065 of Nuovo) perimeter; a flange formed along and spaced apart from the edge perimeter extending in a direction to rest

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against the mating surface when contact with the mating surface is made (Page 4, Para. 0065-0068 & 0070 and Page 5, Para. 0073 & 0075-0076 of Nuovo), wherein the flange comprises is an elastically deformable material edge (Page 5, Para 0077 and Page 7, Para. 0098 of Nuovo); (Page 3, Para. 0058 and Page 5, Para 0077-0079 of Nuovo).

However Gahl et al. teaches a housing part, comprising of a base body is made from a hard plastic and the flange is made from a softer plastic compared to the hard plastic, wherein the base body and the flange form an integral part and are made by using a two-color injection molding process (Page 1, Para. 0010-0011 of Gahl et al.).

It would have been obvious to one of ordinary skill of the art at the time the invention was made to incorporate a network that employs CDMA access techniques, as taught by Gahl et al., in the mobile communications devices housings development and materials of Nuovo. The plastic materials used are also relatively flexible and consequently resilient against the knocks and drops that will inevitably be encountered by a highly utilized personal portable device. The design criteria have led to similar types of casing being used for all such devices (Page 1, Para 0003 of Nuovo).

The motivation of this combination would be the effect of the mobile communication devices housings/casings making them designed with ease of assembly, durability, and cost, as taught by Nuovo in Page 1, Para 0001-0005, because as demand for wireless service grows so will the demand of different the type of material from which the mobile communication device's housing can be produced. Such a housing blank can be produced, for example, by an injection-molding process, in

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which a non-conducting plastics material is injected into a mold corresponding to the housing blank (Page 4, Para 0050 of Gahl et al.).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dzung et al.(US Patent 4418830) discloses an invention that relates in general to sealing arrangements and more particularly to an improved enclosure moisture and dust seal assembly especially suited for application in personalized, hand-held radio apparatus, which includes a molded plastic enclosure.

Kuwayama et al. (US Patent 5665485) discloses an invention that relates to a splashproof construction for a portable type electronic device.

Speaks (US Patent 5896453) discloses an invention that is directed to a device for the protection of electronic circuitry, and specifically to the protection of the internal circuitry of a portable or hand-held telephone from water damage.

Phillips (US Patent 6078792) discloses an invention that relates to mobile radio communication devices and, more particularly to water-exposure protection for electronic circuitry housed within a mobile radio communication device.

Tasy et al. (US Pub 2004/0198243) discloses a mobile phone includes a mobile phone body, a face panel, an interlocking unit, and a stop mechanism. The stop mechanism is provided on at least one of the face panel and the mobile phone body

and functions so as to arrest movement of the face panel relative to the mobile phone body.

Chien et al. (US Patent 6983130) discloses an invention that relates to a waterproof structure of a handheld electronic device and, more particularly, to a waterproof structure letting a handheld electronic device like a handheld computer, a personal digital assistant (PDA), or a store price scanner have the waterproof effect.

Grems et al. (US Pub 2006/0049030) discloses an invention that relates to an automotive component and a method of manufacturing the component, and in particular to a component formed with two different integrally-formed materials having different material property characteristics.

Leurs et al. (US Pub 2006/0097376) discloses an invention that relates to an electronic product comprising a body provided with a three dimensional shape that is derived from the product and incorporates structurally at least part of the product shape.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janelle N. Young whose telephone number is (571) 272-2836. The examiner can normally be reached on Monday through Friday: 8:30 am through 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571) 272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JNY
May 14, 2007


NAY MAUNG
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